

United States District Court
for the
Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jan 17, 2017

SEAN F. MCVOY, CLERK

CORRECTED Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Jessica Lynn Miller

Case Number: 0980 2:13CR06054-EFS-2

Address of Offender [REDACTED]

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, Senior U.S. District Judge

Date of Original Sentence: May 13, 2014

Original Offense: Ct. 1:Conspiracy and Aiding and Abetting Bank Fraud, 18 U.S.C. § 1344(2), 371 and 2; Cts. 2-5: Bank Fraud, 18U.S.C. § 1344 & 2

Original Sentence: Prison 195 days; TSR - 36 Type of Supervision: Supervised Release days

Revocation Sentence: Prison- 6 months; TSR- 30 months
March 22, 2016

Asst. U.S. Attorney: Thomas J. Hanlon Date Supervision Commenced: September 8, 2016

Defense Attorney: Alex B. Hernandez, III Date Supervision Expires: March 7, 2019

PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1 **Special Condition # 22:** You shall abstain from the use of illegal controlled substances, and shall submit to testing (which may include urinalysis or sweat patch), as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: On December 28, 2016, and December 30, 2016, the defendant failed to report for random drug testing at First Step Community Counseling. The defendant advised she had simply forgotten to call in on each occasion.

2 **Special Condition # 22:** You shall abstain from the use of illegal controlled substances, and shall submit to testing (which may include urinalysis or sweat patch), as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

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Supporting Evidence: On January 3, 2017, the defendant reported to the probation office and supplied a urinalysis sample for testing. The sample returned presumptive positive for the presence of amphetamine. The defendant admitted she had used methamphetamine on or prior to January 1, 2017. The sample was confirmed positive for the presence of methamphetamine on January 5, 2017.

3 **Standard Condition # 3:** The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

Supporting Evidence: On January 3, 2017, the defendant reported to the probation office in Richland and was directed to report back on January 9, 2017, at 10 a.m.to follow up on possible treatment options.

On January 9, 2017, the defendant forwarded a text message 10 minutes prior to our scheduled meeting noting she could not find a ride. The defendant was reminded we needed to meet. The defendant failed to make contact prior to the closing of the probation office so a second text was sent to the defendant noting she needed to be at the probation office by 10 a.m. on January 10, 2017. The defendant has failed to report or reply to multiple phone and text messages.

4 **Standard Condition # 6:** The defendant shall notify the probation officer at least ten days prior to any change in residence or employment.

Supporting Evidence: As noted above, the defendant failed to report for a scheduled office appointment on January 9, 2017. On January 10, 2017, an attempt was made to contact the defendant at her residence as she was not responding to phone calls or text messages. No one was found home at the time of the contact. Again, on January 13, 2017, an attempt to locate the defendant at her residence was made. The defendant's mother was home and confirmed the defendant had not resided at the residence in "over a week." The defendant's mother did not have any idea where she might be.

5 **Special Condition # 22:** You shall abstain from the use of illegal controlled substances, and shall submit to testing (which may include urinalysis or sweat patch), as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: On January 12, 2017, the defendant failed to report for a random drug test at First Step Community Counseling. The defendant had not contacted the probation office or the treatment facility prior to missing the test.

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The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 01/17/17

s/David L. McCary

David L. McCary
U.S. Probation Officer

THE COURT ORDERS

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- Other - The warrant issued by the original petition and order entered on January 13, 2017 remains active.



Signature of Judicial Officer

January 17, 2017

Date